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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION 8383 OF 2009

Mohiddin Ali Bhatkar

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Mr. S. B. Shetye for the Petitioner.

Mr. P. P. Pujari, APP for the State.

**CORAM: ROHIT B. DEO, J.
DATE : 16th JUNE, 2022**

P.C. :-

. The learned counsel for the petitioner submits that since the entire litigation has attained finality, nothing survives in the petition.

2. Challenge in the petition is to the order dated 17th September, 2009 passed below exhibit 7 whereby the Appellate Court refused to stay the decree dated 17th August, 2009 in Regular Civil Suit 246 of 2003.

3. During the pendency of the petition, the Regular Appeal is allowed and the judgment and decree in Regular Civil Suit 246 of 2003 is set aside. The learned counsel for the petitioner further states that the first appellate judgment and decree was challenged in second appeal, which this Court dismissed and the special leave petition preferred in the Apex Court is also rejected.

4. Accepting the statement of the learned counsel for the petitioner that the petition is rendered infructuous, the petition is disposed of.

[ROHIT B. DEO, J.]